A SKETCH

Of proposed Regulations, concurrent with the Establishment of a State Provision for the Roman Catholic Clergy.

BY SIR J. C. HIPPISLEY, BART.

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A Sketch of proposed Regulations, concurrent with the Establishment of a State Provision for the Roman Catholic Clergy of Ireland. 1809.

As additional "Clauses, intended to be proposed in the Committee, to be added to the "Bill to provide for the Removal of the Civil and Military Disqualifications under "which His Majesty's Roman Catholic Subjects now labour," are in circulation among the Members of the House of Commons; and as one of those Clauses is framed with a view to establish "further precautions for ascertaining the Loyalty "of Roman Catholic Priests appointed to the exercise of Episcopal functions "in the United Kingdom:" it has been deemed also advisable to reprint the following "Sketch," in order to give it a more extended circulation.

[This Sketch of Regulations was originally communicated to many Prelates of the Roman Catholic Communion, and afterwards printed, with an explanatory Advertisement, in the Appendixes to the Substance of Sir J. C. Hippisley's Speeches on the Motion of Mr. Grattan, on the 18th of May, 1810 (*Faulder*), and on the 24th of April, 1813 (*Ridgway*): they were also annexed to his Letters to the Earl of Fingal, 1813 (*Murray*).

NOMINATION OF ROMAN CATHOLIC PRELATES.

[*The Regulations respecting Papal Rescripts were reserved as the subject of another arrangement.*]

"IN the event of a State Provision for the Roman Catholic Clergy becoming a measure of parliamentary enactment, it is suggested that regulations, to the following purport, should also receive the sanction of the Legislature:

The preamble of the Act to state,

That whereas it is expedient, that upon the legal admission of the Roman Catholic Clergy to the exercise of the functions of the Episcopacy of the Roman communion in Ireland, the most adequate security should be afforded of the due eligibility of such persons as are proposed for election to fill the vacant Roman Catholic See: and as it may occur, that His Majesty's Government may entertain a persuasion of the ineligibility of a candidate, arising from the knowledge of facts unknown to the electors themselves;—or from other considerations, which may reasonably constitute either a temporary or permanent objection against the election of such candidate on the actual vacancy;—

And whereas it is also expedient that no undue influence or interference, direct or indirect, should be assumed or exercised by the servants of the Crown, in favour, or to the prejudice of any individual candidate in such elections;—the following provisions are suggested:—

1st. That on every vacancy, by the death or removal of a Prelate exercising the functions of a Bishop of the Roman communion in Ireland, a list shall be prepared, containing the names of not less than four, nor exceeding eight persons, *subjects of His Majesty*; from whom it is proposed to elect a successor to the vacant Roman Catholic See.

[Note.—The mode of preparing such list is not prescribed, but left as a measure of internal regulation, to be governed by the established discipline, as obtains, on such occasions, among the Roman Catholic Clergy in Ireland.]

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2d. That the list, so prepared, shall be transmitted by the President of election (who is usually the Roman Catholic Metropolitan, or senior Bishop of the Province) to the Chief Secretary, in order that it may be laid before His Majesty's Government in Ireland; and within one calender month of the receipt of such list, it shall be returned to the said President of election, accompanied with a certificate of the Chief Secretary, or his representative, to the following purport: viz.

'That whereas the names of A. B. &c. &c. have been transmitted to His Majesty's Government, 'under the signature of N. N. President of election of a Roman Catholic Prelate, from which 'list it is proposed to elect a successor to X. X.—late of ——, agreeably to the provisions of the 'statute in such case made and provided:—and no cause being known to exist, which can be 'deemed valid, to exclude either of the persons, whose names stand on the list aforesaid, from 'being elected to supply the said vacancy; I do hereby certify the same, under my hand and seal, 'in order that the said election may proceed without further delay.

'I do also certify and declare, to the best of my knowledge and belief, that no means whatever, 'direct or indirect, at the instance of any servant of the Crown, or by any other person connected 'with His Majesty's Government, have been used in order to influence the voice of any elector, in 'favour or to the prejudice of any person whose name stands on the said list.

(Signed) 'Z. Z.

(L. S.) 'Chief Secretary.'

3d. That, in the event of an objection being taken by His Majesty's Government against any person, whose name stands on such list, the form of certificate shall be varied to the following purport: viz.

After the words 'in such case made and provided, &c.' the following shall be substituted:

'His Majesty's Government is of opinion, that it would not be expedient, in the present instance, 'that F. F. (whose name stands in the said list) should be nominated to fill the said vacancy;—and 'I do hereby certify the same,' &c. &c. To conclude in the form preceding.

[Note.—In the original sketch of this head of regulation it was stated, that the cause or ground of objection should be invariably notified by the Chief Secretary of Government to the President of election; in like manner as it is understood to be the practice of the See of Rome; but it has been very properly suggested, that cases might occur in which such notification might possibly be attended with injurious consequences:—It seems, therefore, advisable that the provision in such case should be thus qualified: viz.

'That the cause or ground of such objection should be communicated by the Secretary of 'Government, if required by the President of election, except in those cases wherein such 'communication might possibly be attended with injurious consequences to the State.'

This head of provision must therefore necessarily involve a discretion on the part of Government, which cannot be subject to specific regulation, and, at any rate, it may become a matter of ulterior consideration.

Cases may be easily imagined, where the objection to the nomination of a particular individual may be of a temporary nature, and not personal.]

4th. A clause to be introduced, containing the form of an oath, to be taken by the President of election, and by him also to be administered to his colleagues, to the purport that they will not give their suffrages in favour of any person but one who is known to be firmly attached to His Majesty, and the civil constitution of the State.

Also the form of an oath to be administered to the Prelate elect, in such terms as may be hereafter advised; which oaths to be subscribed with the signatures of the several electors, and transmitted, under the hand and seal of the President of election, to the Chief Secretary of Government, in order to be enrolled.

5th. A clause also to declare, that no person, to whose nomination an objection shall be certified to the President of election by the Chief Secretary of Government, shall be competent to be elected on an actual vacancy. The objection may afterwards be removed, and in that case certified to the Roman Catholic Metropolitan, or Senior Prelate of the province, as no longer existing.—

Electors offending against these provisions, to be subjected to the penalties of PRÆMUNIRE,* or ———, and the election to be void to all intents and purposes whatever, as to the effect of conferring any legal authority on the person so elected, to exercise the functions of a Roman Catholic Bishop *within the realm.*

6th. As the Deans of the Roman Catholic communion in Ireland are elected nearly in the same manner as their Bishops, and receive institution alike by Bulls from Rome; it is suggested, that a similar provision should be enacted respecting the election of Deans—so *also with respect to the election of the Warden of Galway, who exercises an episcopal jurisdiction in spirituals.*

[Note.—The concluding regulation, proposed by the Roman Catholic Clergy to Government, in January, 1799, states, 'That the Prelates are satisfied, that the nomination of Parish Priests, 'with a certificate of their having taken the oath of allegiance, be certified by Government.' This, in part, is consonant to the practice which obtained in the United Provinces, where the Archpriest (for there was no resident Bishop) presented each Priest, or Curé nominated to a parish, to the civil magistrate for approbation—'*pour être avoué.*' Perhaps some regulations with respect to these appointments may well have place in such a parliamentary arrangement. The preceding regulations are principally applicable to the state of the Roman Catholic Clergy in *Ireland.* They must necessarily be varied with respect to the appointment of the Roman Catholic Prelates in Great Britain.]

It is submitted that these provisions will obviate every reasonable objection, that can be raised by the opponents of the measure proposed by the four Catholic metropolitan and six senior Bishops in January, 1799—though many of the objections which have been urged against that measure are untenable, and pressed with an acrimony of discussion, very little suited to the subject and occasion; the proposal, nevertheless, seems to have been made with less circumspection than might have been expected.

The presentation of the candidate to Government, *after a canonical election* had taken place in his favour, as proposed in 1799, necessarily placed such person in a painful state of degradation, if rejected. This is obviated by the regulation now suggested. Those who are apprehensive of the undue influence of Government, will probably consider the freedom of such an election better secured by the present measure, than by the mode prescribed in the proposal of the Roman Catholic Prelates, which, in fact, afforded no such security.†

* Objection was taken, by a writer on this subject, to the severity of this penalty;—the *blank* was originally left for its mitigation—and, upon reflection, the *invalidity,* as stated in the latter part of the sentence, would be an adequate security in itself, if the proposed measure were adopted. It must be recollected, nevertheless, that the original framers of the penalty were the framers also of our statute of *provisors*—the work of our Roman Catholic ancestors, to preserve the freedom of the national Church against the encroachments of the See of *Rome,* which they contended were "intolerable." The same penalty attaches upon *chapters,* acting in contravention of the King's *Congé d'Elire.*

† *Resolutions of the Roman Catholic Prelates assembled at Dublin, in* 1799.

At a meeting of the Roman Catholic Prelates held in Dublin, the 17th, 18th, and 19th of January, 1799, to deliberate on a proposal from Government, of an independent provision for the Roman Catholic Clergy of Ireland, under certain regulations, not incompatible with their doctrines, discipline, or just influence—

It was admitted that a provision, through Government, for the Roman Catholic Clergy of this Kingdom, competent and secured, ought to be thankfully accepted.

That, in the appointment of the Prelates of the Roman Catholic Religion to vacant Sees within the Kingdom, such interference of Government, as may enable it to be satisfied of the loyalty of the person appointed, is *just and ought to be agreed to.*

That, to give this principle its full operation, without infringing the discipline of the Roman Catholic Church, or diminishing the religious influence which Prelates of that Church ought justly to possess over their respective flocks, the following regulations seem necessary:—

1st. In the vacancy of a See, the Clergy of the Diocese to recommend, as usual, a candidate to the Prelates of the ecclesiastical province who elect him, or any other they may think more worthy, by a majority of suffrages: in the case of equality of suffrages, the Metropolitan or senior Prelate to have the casting vote.

2d. In the election of a Metropolitan, if the provincial Prelates do not agree within two months after the vacancy,

The extended number of candidates is calculated to conceal from Government the individual, on whom, if not objected to, the choice of the electors is most likely to fall; and the solemn attestation proposed to be officially given by the Chief Secretary, in the name of Government, supplies also a pledge, as high as the nature of the case can possibly afford.

The apprehensions of Mr. Burke, expressed in his Letter to Dr. Hussey, 'of the too frequent 'intercourse of the Roman Catholic Bishops with the Castle,' were founded in a persuasion, as he avows, that it might terminate in an *absolute appointment by Government*. Against such appointments the mode suggested may be considered as providing a more adequate guard, than any other hitherto practised or proposed. If ever a Catholic Prelate was to be considered as a virtual nominee of the Castle, Dr. Hussey himself was assuredly that individual. If he had not been patronised by the Ministers of the Crown in the appointment to the Presidency of *Maynooth*, there was but little probability that he would have been recommended to *Rome*, for the Roman Catholic See of *Waterford*. The electors, apprised of the sentiments of the King's Ministers, doubtless considered his election as a graceful concession to Government. In the event of a repeal of the remaining disqualifying statutes, and the establishment of a State provision for the Roman Catholic Clergy, the circumstances of the great mass of Catholic population and the condition of society would be so materially changed, as to render this concert between Government and the Catholic Prelacy, a measure of prudence, if not of necessity. If the Catholic is to be secured against the undue influence of the Minister of the Crown, as affecting the Hierarchy of his communion, the Protestant is not to be denied the security he claims in favour of the Establishment. The avowed object of the measure proposed, is to give satisfaction and energy to both: to unite the Catholic with the Protestant, in ascertaining, by the best means, the loyalty and general eligibility of the candidate proposed to be elected to fulfil the duties of a high and sacred office, *possessing great influence, as respecting Ireland especially, on the minds of a vast majority of the people.*

The possible objection to be raised by Government in the case of any individual candidate, it has been stated, may be considered as *permanent* or *temporary*. As the late Dr. Hussey's name has been introduced, of him also may it now be said, that if the Ministers of the Crown, who were so friendly to his nomination, or the Catholic electors, who were so much disposed to gratify

the senior Prelate shall forthwith invite the surviving Metropolitans to the election, in which each will then have a vote: in the equality of suffrages, the presiding Metropolitan to have a casting vote.

3d. In these elections, the majority of Suffrages must be *ultra medietatem*, as the Canons require, or must consist of the suffrages of more than half the electors.

4th. The candidate so elected to be presented by the President of the election to Government, which, within one month after such presentation, will transmit the name of the said candidate, if no objection be made against him, for appointment, to the Holy See, or return the said name to the President of the election, for such transmission, as may be agreed on.

5th. If Government have any proper objection against such candidate, the President of the election will be informed thereof within one month after presentation, *who, in that case, will convene the electors to the election of another candidate.*

Agreeably to the discipline of the Roman Catholic Church, these regulations can have no effect without the sanction of the Holy See, which sanction the Roman Catholic Prelates of this Kingdom shall, as soon as may be, use their endeavours to procure.

The Prelates are satisfied that the nomination of Parish Priests, with a certificate of their having taken the oath of allegiance, be certified to Government.

RICHARD O'REILLY, R.C.A.B. Armagh.
J. S. TROY, R.C.A.B. Dublin.
EDWARD DILLON, A.B. Tuam.
THOMAS BRAY, R.C.B. Cashel.
P. J. PLUNKETT, R.C.B. Meath.
J. MOYLAN, R.C.B. Cork.
DANIEL DELANY, R.C.B. Kildare.
EDMUND FRENCH, R.C.B. Elphin.
JAMES CAULFIELD, R.C.B. Fernes.
JOHN CRUISE, R.C.B. Ardagh.

the King's Ministers in the instance of his election, had been aware of his conduct in the latter part of his mission to the Court of Madrid, in the year 1780 (the circumstances of which are now before the Public)—it may be assumed that he would not have been advanced to the See of Waterford. Neither is it probable that Dr. Bellew, whatever testimonials he might have borne, and justly been entitled to, for his approved loyalty, would have been selected for the Roman Catholic See of Killala, at the precise moment, when his brother, under the style of General Bellew, appeared in arms against his country, as he did on the descent of Humbert at Killala, in 1798. In both these cases Government might have had information of the facts, before they could have reached the knowledge of the electors; and these instances may be cited as cases of tenable disqualifying objection, either *permanent* or *temporary*, as applicable to the objects of this arrangement. Indeed, in the instance of Dr. Hussey, the notoriety of his being the confidential chaplain to the Spanish Embassy to London, might, in itself, have constituted a sufficient ground of objection.

It is assumed that the right of the imperial Parliament to legislate in the spirit of these provisions will not be questioned. The authority of almost every State, of whatever established communion, Roman Catholic, Greek, Reformed, &c. &c. is to be adduced in support of the principle. Nor can a *concordat* with Rome, *under the circumstances suggested*, be deemed necessary, even on Catholic principles, although the concurrence of the Roman Pontiff was considered by the Catholic Prelates, in 1799, as an indispensable sanction of the measures then proposed. The distinction is obvious. The *presentation of the candidate for the approbation of Government, by the proposal of* 1799, *was to be subsequent to a canonical election*, when the usual faculties were only wanting from Rome for his canonical institution.—By the mode now suggested, the names of certain persons are to be transmitted to Government merely as candidates for election, unknown possibly to themselves; and the objection, if taken to any, may remain equally unknown:—it will rest much with the discretion of the electors.

The various documents in the Appendix * are not cited as perfect models for imitation. Many of the regulations are known to have been influenced by caprice or resentment, especially in the instances of Austria and Venice: nevertheless many also are the result of a sound and liberal policy, and confirm the principle, that the sovereign power, in every state, of whatever religious communion, has considered itself armed with legitimate authority to legislate in ALL matters of ecclesiastical regulation † within its dominion.

* The original Appendix, here referred to, contained the Edicts of the sovereigns of Russia, Spain, &c. and was annexed to a summary of Correspondence with several of His Majesty's Ministers, not published.

† The power of the temporal Sovereign is here to be understood, as not interfering with the *power of the* KEYS *strictly spiritual*, but in the sense alone that it was ever exercised *in this realm*, in the days of our Roman Catholic ancestors.

The following Extracts are subjoined as illustrative of the Principle contended for in the preceding Sketch of Provisional Regulations.

Extract of a Letter from the Rev. J. WHEELER *(a Roman Catholic Clergyman) to Sir* J. LAWSON, *Bart. published at Richmond, in Yorkshire, in* 1810.

"THE plan which I have to propose, embraces the two which have been already mentioned, yet so qualified and restricted in their operations, as to produce by their combination the happiest results. *It concedes to His Majesty an effectual negative, but that negative it confines exclusively to the Metropolitans.* It also establishes domestic nomination, but that nomination it confines exclusively to the Suffragan Bishops. It is comprised in the eight following articles: four of which relate to the appointment of Metropolitans, and four to the appointment of Suffragan Bishops. With respect to the former, it proposes, in the first place, that, on the demise of a Metropolitan, his successor be elected by the surviving Suffragans:—Secondly, *that the name of the person so elected by a majority of suffrages, be delivered in to His Majesty's Privy Council*:—Thirdly, that whenever the person whose name shall be delivered in to His Majesty's Privy Council, shall be objected to by the same, another shall be elected:—And fourthly, that when the person elected *shall not be objected to by His Majesty's Privy Council*, application shall be made to the Pope in his behalf for canonical institution. With respect to the latter, it also proposes, first, that, on the demise of a Suffragan Bishop, his successor be elected by the Clergy of the vacant diocese:—Secondly, that the name of the person so elected by a majority of suffrages shall be delivered to the Bishops of the province assembled in council, at which the Metropolitan shall preside:—Thirdly, that when the person whose name shall be delivered in to the Bishops so assembled, shall be rejected by a majority of suffrages, another shall be elected:—And fourthly, that, when the person elected shall be approved of by the Bishops so assembled, by a majority of suffrages, he shall receive from the Metropolitan canonical institution.

"The sole danger to which the fears of our political friends appear at present to be confined, or which even the bigotry of our political adversaries can with any plausibility allege as the ground of their hostility to Catholic emancipation, is the interference of the Pope in the appointment of Catholic Bishops. Now every possible danger which may be supposed to arise from such interference, the adoption of the scheme which I have presumed to suggest, will effectually remove. For in the appointment of Metropolitans (which is the only case in which the scheme admits of the interposition of the Pope), *it also gives to His Majesty's Privy Council an effectual negative, by the exercise of which every obnoxious person may always be excluded.**"

Extracts from a "Letter to a Parish Priest," &c. by Dr. MILNER, *Bishop of Castelbala, V. A. in the Midland District, dated 1st August,* 1808.

"I proceed to show upon what grounds I rested my opinion, that the Irish Prelates, in the event of a "friendly Ministry succeeding to power, and of the emancipation being granted, would not hesitate, under "the presumed sanction of His Holiness, to admit of a limited power of exclusion in the executive Government. "The first of these grounds is the *actual consent* which they (that is) the four Metropolitans and six of the "most ancient Bishops, speaking in the name of the whole Episcopal Body, have actually given to the "proposed measure in their solemn deliberations, held at Dublin on the 17th, 18th, and 19th January, 1799. "In these deliberations, having premised the *justice* and *propriety* of the interference of Government in the "appointment of Catholic Bishops, as far as it is necessary to ascertain their loyalty, they resolve as follows:" —[The Resolutions of 1799 are then quoted by Bishop M.] "With respect to these Resolutions, I have to "observe—1st, That they are in the hands, I believe, both of Ministry and Opposition, and are considered, "by both, as binding upon the Episcopal Body:—2dly, That the exclusive power itself, or the right of the "Veto, is not less explicitly offered in them than it is mentioned in my negotiations:—3dly, The necessary "checks upon this Veto are not so distinctly expressed in the former as they are in the latter."—Again,

* It is scarcely necessary to observe, that, though the *principle* of the King's prerogative is admitted by Mr. Wheeler in the preceding proposal, it does not adequately provide against the appointment of a *Suffragan Bishop*, against whom an objection might be urged, with equal justice, by His Majesty's Government.

"In almost every uncatholic country means are provided, and care is taken, both by those who have a "right to present, and by the Holy See herself, that no person *obnoxious to the Sovereign*, shall be raised to "the Prelacy within his dominions. The Sovereigns of Russia and Prussia will be found to have exercised a "power in this respect, which far exceeds that which the Irish Prelates have offered to His Majesty; and "accordingly these Sovereigns have each of them an accredited agent at Rome, chiefly for the exercise of this "power.—The King himself enjoys it, *with the consent of Rome*, in the province of *Canada*: the Bishop of "*Quebec* not being allowed so much as to choose his coadjutor, *until the latter has been approved by the Civil* "*Governor*.—Fourthly, *Whatever outcries of the Church in danger may have been raised by ignorant or violent* "*Catholics in Ireland, I challenge any learned divine or other writer*, to show that the allowance to Government "of an exclusive power in presenting to Catholic Prelacies, if confined to three times, and accompanied each "time with the avowal of a well-grounded suspicion of the candidate's loyalty, contains any thing either "unlawful in itself or dangerous to the Church."

The learned Prelate then proceeds to assign the grounds of his opinion, and afterwards deprecates the outcry, *as if the rights of their Church were about to be surrendered*, and the King's ecclesiastical supremacy over it acknowledged.

"But, since this opinion (he continues) is founded in *the grossest error, nothing is so easy as to dissipate it,* "*by exposing the true state of facts, in opposition to newspaper falsehoods, and by explaining, in its several* "*parts, the true system of canonical elections.*"

Bishop Milner then proceeds thus—"Should the Prelates *recede from the Resolutions, which they entered into* "*at Dublin, in* 1799, I hope they will be able to vindicate their proceedings and character, against the "numerous and able opponents of each communion, who will not fail to attack them on the subject, and "harass them for many years to come. I hope they will provide answers, and such answers as may be "defended against men of talents, to the following questions, which will incessantly be put to them, as they "have in part been already frequently put to me. 'The head of the Church has allowed a direct interference "and power in the appointment of Bishops throughout the greater part of the Christian Continent, to a man "who has apostatized to Mahometanism; and shall it be deemed *unlawful for our Monarch to interfere in this* "*business just so far as it is necessary to ascertain the loyalty of men, who are to possess such great influence over* "*his subjects?* The schismatical Sovereign of *Russia*, and the heretical King of *Prussia*, have always been "consulted in the choice of Catholic Prelates, for the vacancies within their respective dominions; what then "hinders the Sovereign of the United Kingdom from enjoying the same privilege? He actually possesses it "now in *his American dominions*; is that unlawful in *Ireland*, which is lawful in Canada?' But you have "already declared, after three days' solemn deliberation on the subject, that *such interference of Government in* "*the appointment of Prelates, as may enable it to be satisfied of the loyalty of the person to be appointed, is just* "*and ought to be agreed to*; and that, therefore, the candidate elected is to be presented to Government: and "that if Government has any proper objection against him, the President will convene the Electors, and "proceed to the election of another candidate."—"Such were your decisions delivered to Government nine "years ago, and which have remained with it ever since, to be acted upon whenever circumstances should "permit. Do you break faith with it?—Or, is that become false and unlawful now, which was true and "lawful then? In a word, will you reject these resolutions (for the purpose of quieting the alarms of the "nation, and promoting the emancipation), which you heretofore voluntarily made in order to obtain a "provision for yourselves?"

"Such are the objections, in part, which I am confident will be thus held out against the Prelates on every "side, should they retract their decisions. It is wise, Sir, to anticipate mischief of every kind, in order to "guard against it. *If, on the other hand, the Prelates should abide by what they have solemnly resolved* "*upon, they will have nothing more to do than what is perfectly within their sphere, and what is comparatively* "*easy to be done; namely, to enlighten their people, and show them how grossly they have been imposed upon,* "*both as to facts and reasoning.*"*

* Such was Bishop Milner's statement and advice to the Prelates of his communion, in 1808. In 1810, the same learned Prelate published his "*Instructions to the Catholics of the Midland Counties in England, on the State and Dangers of their Religion*,"—which he seems then but to have just discovered; and one of the greatest of which dangers he considers to be that *security*, which is demanded of Roman Catholics, for the "religious Establishment of the State."—Referring to the opinions he had expressed in the preceding Extracts, in conjunction with all the Metropolitans and the six senior Bishops of his communion in Ireland, in 1799, he proceeds to a *retractation*, in these words:—"I hereby "publicly retract and condemn my aforesaid '*Letter to a Parish Priest*,' and all my other Letters and Writings,

" whether printed or manuscript, on the subject of the *Veto*, which I wrote while I was under the aforesaid delusion; " that is to say, from the latter part of *May*, till about the conclusion of *November*, 1808."—In the same note, Bishop Milner observes, that, " after all, that unfortunate private, though printed Letter [to a Parish Priest], was a mere piece " of *mooting*, intended for the consideration of the Irish Bishops, at their approaching assembly [in September 1808], " and withheld, as far as lay in my power, from the inspection of others."—We are not disposed to controvert the Bishop's privilege of dispensing with the obligations apparently resulting from his own opinions, however solemnly or formally stated; but we cannot so readily admit his power of changing the essence of facts. If the regulations and restrictions upon the appointment of the Roman Catholic Bishops, as admitted by Bishop Milner, exist in the several States which he has enumerated—whether of the *Roman Catholic*, *Greek*, or *Reformed* Churches—they must still exist, independently of the learned Prelate's change of opinion. So, if all the Metropolitans, and the six senior R. C. Prelates of Ireland, in the year 1799, resolve that " such interference, as may enable it to be satisfied of the loyalty " of the person appointed [a Bishop], *is just* and ought to be agreed to;"—we cannot admit such interference to be *less just and expedient at the present hour*, although Bishop Milner has thought proper to retract his own opinion in favour of it, on his discovery that *security* was demanded of the Catholic, in favour of the Establishment in the *Church* as well as *the State*:—a security virtually recognised in the oaths taken by Catholics in all parts of the United Kingdom. So likewise may we consider, that, whether the Roman Catholic Prelates are disposed to accept, or reject, the " *State* " *Provision for their Clergy*," which all the Metropolitans and six senior R. C. Bishops declared, in 1799, " *ought to be* " *thankfully accepted*;" it does not follow but that the State ought to be equally satisfied of the loyalty and civil eligibility of the person appointed to a charge, holding so great an influence, in opinion and habit, upon the minds of those within the sphere of its jurisdiction. Having adverted to the opinions held on these points in 1799, we are naturally disposed to put the question suggested by Bishop Milner himself: " Is that become false and unlawful now, which was true and " lawful then?" And to conclude, in the words of a Right Honourable Baronet,*—a zealous supporter of the claims of the Catholics,—" the rule of right, the measure of justice, must be the same to-day—yesterday—and for ever."

* Sir J. Newport's Letter in the Dublin Herald, dated 18th Nov. 1812.

The preceding Extracts are taken from the Supplementary Notes annexed to the Substance of Sir J. C. Hippisley's Speech on Mr. Grattan's Motion, 24th April, 1812.—(Ridgway, Piccadilly.)

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